

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	Civ. Action No. 2:21-cv-977
v.	)	
	)	Judge Marilyn J. Horan
PERRY HOMES, INC.,	)	
ALLYSON WHITTINGTON, and	)	Chief Magistrate Judge
ROBERT WHITTINGTON,	)	Cynthia Reed Eddy
	)	
Defendants.	)	
	)	

---

**MOTION TO STRIKE DEFENDANTS' REPLY IN SUPPORT OF  
OBJECTION TO THE MAGISTRATE JUDGE'S RECOMMENDATION**

Pursuant to Rule 7(b) of the Federal Rules of Civil Procedure, the United States, by its attorneys, submits this motion to strike the Defendants' Reply in Support of Objections to the Magistrate's Recommendation, ECF No. 39. As noted in the accompanying memorandum, Defendants' filing violates the Court's Standing Order and Procedures on Civil Motion Practice because Defendants did not obtain leave to file a reply brief and the briefing schedule set forth in the Court's Report and Recommendation did not allow for reply briefs. Counsel for the United States has conferred with Defendants who refused to withdraw the Reply. A proposed Order is submitted herewith.

Dated: June 23, 2022

Respectfully submitted,

CINDY K. CHUNG  
United States Attorney  
Western District of Pennsylvania

KRISTEN CLARKE  
Assistant Attorney General  
Civil Rights Division

/s/ Jacqueline Brown

JACQUELINE C. BROWN  
Assistant United States Attorney  
Civil Division  
Office of the U.S. Attorney  
Western District of Pennsylvania  
700 Grant Street, Suite 4000  
Pittsburgh, PA 15219  
Tel: (412) 894-7565  
Fax: (412) 644-6995  
E-mail: jacqueline.c.brown@usdoj.gov  
PA Bar No. 330010

/s/ Beth Pepper

SAMEENA SHINA MAJEED  
Chief, Housing and Civil Enforcement Section  
CATHERINE A. BENDOR  
Special Litigation Counsel  
BETH PEPPER  
Trial Attorney  
Housing and Civil Enforcement Section  
Civil Rights Division  
U.S. Department of Justice  
150 M Street, NE  
Washington, DC 20002  
Tel: (202) 340-0916  
E-mail: Beth.Pepper@usdoj.gov

*Attorneys for Plaintiff United States*